

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

KRI Investments Limited Partnership,

Civil No. 12-1583 (DWF/JJK)

Plaintiff,

v.

**ORDER**

Country Mutual Insurance Company,

Defendant.

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John H. Faricy, Jr., Esq., and Vadim Trifel, Esq., Faricy Law Firm, P.A., counsel for Plaintiff.

Andrew D. Deutsch, Esq., Leatha G. Wolter, Esq., and Kathleen M. Ghreichi, Esq., Meagher & Geer, PLLP, counsel for Defendant.

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This matter is before the Court on a Motion for Summary Judgment brought by Defendant Country Mutual Insurance Company (“Country Mutual”) (Doc. No. 51); and a Motion for Partial Summary Judgment brought by Plaintiff KRI Investments Limited Partnership (“KRI”) (Doc No. 56). This action involves allegations by KRI that Country Mutual failed to fully compensate KRI for losses to its commercial property which was insured by Country Mutual under the relevant Policy.

In light of the parties’ upcoming settlement conference, the Court issues the following order on the pending motions. A full Memorandum Opinion and Order will be issued in the near future.

## ORDER

Based on the files, record, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Country Mutual's Motion for Summary Judgment (Doc. No. [51]) is **GRANTED IN PART** and **DENIED IN PART** as follows:

a. Country Mutual is entitled to summary judgment on KRI's claims for additional coverage under the Policy for: (1) the Property's roof; (2) damage to HVAC units; (3) damage to wallpaper/paneling; (4) enlarging the attic scuttle hole; (5) repairing damage to awnings; (6) repairing light fixtures; (7) repairing drains; (8) providing lost income beyond December 31, 2010; (9) providing coverage for Business Property Claims; and (10) providing coverage for additional mold testing.

b. Fact issues remain with respect to KRI's claims for coverage under the Policy for: (1) damage to windows; and (2) damage to bathroom vanities.

2. KRI's Motion for Partial Summary Judgment (Doc. No. [56]) is **DENIED**.

Dated: November 18, 2013

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge